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TMH:dv 12/10/03 JEC/LP5795406  
PATENT

Attorney Reference Number 6947-67206  
Application Number 09/117,218

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brown *et al.*

Application No. 09/117,218

Filed: January 11, 1999

Confirmation No. 3436

For: TREATMENT OF NON-NEURONAL  
CANCER USING HSV-1 VARIANTS

Examiner: Quang Nguyen, Ph.D.

Art Unit: 1636

Attorney Reference No. 6947-67206

**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney  
for Applicant(s)

Tanya M. Harding, Ph.D.

Date Mailed

December 10, 2003

MAIL STOP RCE  
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P.O. BOX 1450  
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**AMENDMENT, AND RESPONSE  
FILED WITH REQUEST FOR CONTINUED EXAMINATION (RCE)**

This is an Amendment and Response filed with a Request for Continued Examination, in response to the Final Office Action dated June 10, 2003 (Paper No. 24). A three-month period for reply was set, making a response due on or before September 10, 2003. A petition for a three-month extension of time for response accompanies this amendment, along with the appropriate fee, now making the response due on or before **December 10, 2003**. If the Commissioner determines that additional fees are necessary to file this response, deposit account authority is provided on the accompanying transmittal sheet. Please amend the referenced application as follows:

Amendments to the Claims are reflected in the listing of claims, which is on page 2 of this response.

Remarks begin on page 3 of this response.

A Conclusion is on page 8 of this response.